



TRANSMITTAL FORM

Application No.:	09/747,179
Filing Date:	December 21, 2000
First Named Inventor:	John G. Deshayes, et al
Group Art Unit	2175
Examiner:	Betit, Jacob F.
Customer No.	24227
Docket No.	EMC-99-042

Total Number of Pages in this Submission:

ENCLOSURES (check all that apply)

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Authorization for the Commissioner to charge Deposit Account No. 05-0889 for fees associated with this transaction (in duplicate) | <input type="checkbox"/> Assignment Recordation Cover Sheet | <input type="checkbox"/> Petition for Revival of an Unintentionally Abandoned Application [37 CFR 1.137(b)] (in duplicate) |
| <input checked="" type="checkbox"/> Amendment/Response | <input type="checkbox"/> Declaration/Power of Attorney | <input checked="" type="checkbox"/> Fee Transmittal |
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| <input type="checkbox"/> Affidavits/Decl. | <input type="checkbox"/> Revocation of Power of Attorney | <input type="checkbox"/> Express Abandonment Request |
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| <input type="checkbox"/> Request for Continued Examination Transmittal | <input type="checkbox"/> Letter to Official Draftsperson with three (3) sheets of redlined changes to drawings | <input type="checkbox"/> Other: RECEIVED |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Copy of PTO 948, "Notice of Draftsperson's Patent Review" | JUN 01 2004 |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Certified Copy of Priority Document(s) | Technology Center 2100 |
| | <input type="checkbox"/> Additional Enclosures: | <input type="checkbox"/> Status Incomplete |
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| | | <input checked="" type="checkbox"/> Postcard |

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Date <u>May 25, 2004</u>	<u><i>Robert Kevin Perkins</i></u> Robert Kevin Perkins, Esq. (Reg. No. 36,634) EMC Corporation Office of the General Counsel 176 South Street Hopkinton, MA 01748
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CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8]

I hereby certify that this correspondence and the above-referenced enclosures are being:

- ☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703)

Date
May 25, 2004

Sandra A. Kulaga
Signature

Sandra A. Kulaga

Typed or printed name of person signing certificate



FEE TRANSMITTAL For FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$172.00)

Complete if Known

Application Number	09/747,179
Filing Date	December 21, 2000
First Named Inventor	John G. Deshayes, et al
Examiner Name	Betit, Jacob F.
Art Unit	2175
Attorney Docket No.	EMC-99-042

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METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money ☐ Other ☐ None
Order☒ Deposit AccountDeposit Account
Number

05-0889

Deposit Account
Name

EMC Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2004	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below	Fee Paid
Total Claims		-20** =	X		
Independent Claims	6	-4** =	2	18.00	
Multiple Dependent				86.00	172.00

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$172.00)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

JUN 01 2004

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3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2520	1812	2520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1480	2254	740	Extension for reply within fourth month	
1255	2010	2255	1005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1510	1451	1510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1330	2453	665	Petition to revive - unintentional	
1501	1330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Complete (if applicable)

Name (print/Type)	Robert Kevin Perkins	Registration No. (Attorney/Agent)	36,634	Telephone	508-293-6985
Signature	Robert Kevin Perkins	Date	May 25, 2004		

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PATENT
EMC-99-042

2175
41

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	John G. Deshayes, et al	GROUP ART UNIT:	2175
U.S.S.N.:	09/747,179	EXAMINER:	Betit, Jacob F.
FILING DATE:	December 21, 2000	CUSTOMER NO.	24227
TITLE:	METHODS AND APPARATUS FOR REDUCING RESOURCE CONTENTION IN PARALLEL DATA BACKUP PROCESSES		

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 25, 2004.

Sandra A. Zulaga

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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AMENDMENT

Sir:

This is in response to the Office Action mailed March 30, 2004.

Please amend the subject application, as follows:

Amendments to the Specification begin on page 3 of this paper.

05/28/2004 HMEKONEN 00000085 050889 09747179

01 FC:1201 172.00 DA

Applicant: John G. Deshayes, *et al.*
U.S.S.N.: 09/747,179
Filing Date: December 21, 2000
EMC Docket No.: EMC-99-042

Amendments to the Claims are reflected in the listing of claims which begins on page 5 of this paper.

Remarks begin on page 18 of this paper.